



Rep. Barbara Flynn Currie

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LRB097 05092 KTG 56549 a

1 AMENDMENT TO SENATE BILL 1827

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1827 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 10-1 as follows:

6 (305 ILCS 5/10-1) (from Ch. 23, par. 10-1)

7 Sec. 10-1. Declaration of Public Policy - Persons Eligible  
8 for Child Support Enforcement Services - Fees for  
9 Non-Applicants and ~~and~~ Non-Recipients.) It is the intent of  
10 this Code that the financial aid and social welfare services  
11 herein provided supplement rather than supplant the primary and  
12 continuing obligation of the family unit for self-support to  
13 the fullest extent permitted by the resources available to it.  
14 This primary and continuing obligation applies whether the  
15 family unit of parents and children or of husband and wife  
16 remains intact and resides in a common household or whether the

1 unit has been broken by absence of one or more members of the  
2 unit. The obligation of the family unit is particularly  
3 applicable when a member is in necessitous circumstances and  
4 lacks the means of a livelihood compatible with health and  
5 well-being.

6 It is the purpose of this Article to provide for locating  
7 an absent parent or spouse, for determining his financial  
8 circumstances, and for enforcing his legal obligation of  
9 support, if he is able to furnish support, in whole or in part.  
10 The Department of Healthcare and Family Services shall give  
11 priority to establishing, enforcing and collecting the current  
12 support obligation, and then to past due support owed to the  
13 family unit, except with respect to collections effected  
14 through the intercept programs provided for in this Article.

15 The child support enforcement services provided hereunder  
16 shall be furnished dependents of an absent parent or spouse who  
17 are applicants for or recipients of financial aid under this  
18 Code. It is not, however, a condition of eligibility for  
19 financial aid that there be no responsible relatives who are  
20 reasonably able to provide support. Nor, except as provided in  
21 Sections 4-1.7 and 10-8, shall the existence of such relatives  
22 or their payment of support contributions disqualify a needy  
23 person for financial aid.

24 By accepting financial aid under this Code, a spouse or a  
25 parent or other person having custody of a child shall be  
26 deemed to have made assignment to the Illinois Department for

1 aid under Articles III, IV, V and VII or to a local  
2 governmental unit for aid under Article VI of any and all  
3 rights, title, and interest in any support obligation,  
4 including statutory interest thereon, up to the amount of  
5 financial aid provided. The rights to support assigned to the  
6 Department of Healthcare and Family Services (formerly  
7 Illinois Department of Public Aid) or local governmental unit  
8 shall constitute an obligation owed the State or local  
9 governmental unit by the person who is responsible for  
10 providing the support, and shall be collectible under all  
11 applicable processes.

12 The Department of Healthcare and Family Services shall also  
13 furnish the child support enforcement services established  
14 under this Article in behalf of persons who are not applicants  
15 for or recipients of financial aid under this Code in  
16 accordance with the requirements of Title IV, Part D of the  
17 Social Security Act. The Department may establish a schedule of  
18 reasonable fees, to be paid for the services provided and may  
19 deduct a collection fee, not to exceed 10% of the amount  
20 collected, from such collection. The Department of Healthcare  
21 and Family Services shall cause to be published and distributed  
22 publications reasonably calculated to inform the public that  
23 individuals who are not recipients of or applicants for public  
24 aid under this Code are eligible for the child support  
25 enforcement services under this Article X. Such publications  
26 shall set forth an explanation, in plain language, that the

1 child support enforcement services program is independent of  
2 any public aid program under the Code and that the receiving of  
3 child support enforcement services in no way implies that the  
4 person receiving such services is receiving public aid.

5 (Source: P.A. 94-90, eff. 1-1-06; 95-331, eff. 8-21-07.)".